

Serial No.: 10/065,643
Confirmation No.: 5973
Applicant: ELIASSON, Goran
Atty. Ref.: 00173.0017.PCUS00

REMARKS:

REMARKS REGARDING THE CLAIM AMENDMENTS AND NEW CLAIM:

Claims 7-11 have been amended thereby placing claims 7-12 in condition for allowance. Claim 7 has been amended to recite a “single emergency brake function” and a “single pressure actuated emergency brake.” By amendment, claims 8 -11 now recite “a single emergency brake.” The amendments clarify that according to the present invention two brake circuits connect to a single emergency brake.

Claim 13 has been added which contains the methodology of claim 7, and the structural limitations of claim 3 which has been allowed; therefore, claim 13 is allowable for the same reasons as claim 3.

IN RESPONSE TO THE OFFICE ACTION:

REJECTION UNDER 35 U.S.C. § 102:

Claims 7-12 were rejected under 35 U.S.C. §102(b) as being anticipated by Auman *et al.* (US 4586584). In response, Applicant requests that the Examiner reconsider and withdraw the rejection in view of the following:

The reference of Auman et al. fails to anticipate claims 7-12 of the present application because it teaches two park control systems 24 (Fig. 2), one of which operates on the tractor parking brake and the other works on the trailer parking brake. A control module 64 includes two electro-pneumatic brake circuits one including a tractor park valve 254 and the other including a trailer park valve 256. The Office Action accurately states, “valves 254 and 256

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block pressure to the spring brakes," but overlooks the fact that the valves 254, 256 are connected to two different brakes. Auman et al. clearly teaches this fact at column 5, line 32 to column 6 line 18 and column 9, line 18 to column 10, line 23. If either brake circuit loses pressure the tractor/trailer combination becomes inoperative because either the tractor wheels or the trailer wheels will be locked.

According to the present invention, the dual brake circuits may be considered fail-safe circuits wherein a first valve 18 and a second valve 19 have connection to a single emergency brake in such a way that a pressure drop in one of the brake circuits allows the vehicle to continue operating since the second circuit supplies enough pressure to prevent actuation of the spring 9 of the single parking (emergency) brake 8. Using this arrangement of brake circuits, the single parking brake 8 engages, as claimed, only when both brake circuits lose pressure causing the spring 9 to over-ride and apply the emergency brake. Connection of a first brake circuit and a second brake circuit to the same emergency brake is clear from Figures 2, 3 and 4 and further by reference to the descriptive portion of the application, i.e. paragraphs [0030] to [0040] of the published application (US 2003/0090148 A1).

For Auman et al to anticipate the present invention under 35 U.S.C. §102, "each and every element" of the claimed invention must be found either expressly or inherently described in the cited reference. By teaching two independent brake systems, one controlling a tractor brake and the other controlling a trailer brake, Auman et al. is silent concerning a dual circuit, back-up brake system connected to a single emergency brake as claimed for the present invention.

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ALLOWABLE SUBJECT MATTER

Examiner's indication of the allowability of the subject matter of claims 2-6 is acknowledged with appreciation.

Applicants have made an earnest attempt to respond to all the points included in the Office Action and, in view of the above, submit that the reference of Auman et al. (US 4,586,584) fails to satisfy requirements under 35 USC §102 for rejection of claims of the present invention. Amendment of claims 7, 8 and 11 places them and claims dependent therefrom in condition for allowance. Consequently, request is respectfully made for reconsideration of the application and notification of allowance of claims 7 - 12 along with previously allowed claims 2 - 6.

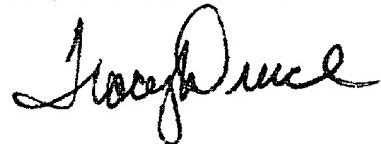
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The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 14-1437, referencing Order No. 00173.0017.PCUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner should directly contact the undersigned by phone to further the discussion.

Respectfully submitted,



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